

**NEW HAMPSHIRE BOARD OF DENTAL EXAMINERS
121 S. FRUIT ST.
CONCORD, NH 03301-2412**

MEETING MINUTES – May 4, 2015

The May 4, 2015 meeting of the New Hampshire Board of Dental Examiners was called to order at 3:00 p.m. by Charles E. Albee, DMD with the following members present:

Charles Albee, DMD, President
Marshall Baldassarre, DMD, Vice President
Nilfa Collins, DMD
Ellen Legg, RDH
Arthur D. McKibbin, Jr. DMD
Stacy Plourde, RDH
Tara Levesque-Vogel, DMD
A. Joseph Williams, III, DDS

Danielle Weiss and Stephanie Pagliuca gave a short presentation on a workforce survey which the Commission on the Primary Care Workforce would like the Board to distribute to its licensees. The Board voted to be included in the amendment language to HB 483 which would give the Board the authority to write administrative rules as to how it might want to distribute the workforce survey as part of its process.

Note: All votes were unanimous unless otherwise indicated.

The Board voted to approve the public Board minutes of April 6, 2015.
The Board voted to approve the non-public minutes of April 6, 2015.

ADMINISTRATIVE

1. Final Rule Proposal (#2015-6) for Adoption - #15-95 - The Board voted to adopt the rules.
2. Hygienists Committee
 - a. Minutes of the April 6, 2015 Hygienists Committee Meeting were accepted.
 - b. Hygienists Committee Comments – Lisa Malfait said that the Committee had submitted recommendations to the Board regarding dental assistants working with Certified Public Health Dental Hygienists. She also reported that the Committee had discussed whether it is important that the rules say that 3 year terms should be renewable for a maximum of 6 years. The Committee will make written recommendations to the Board on this topic.

- c. Recommendations to Board:
- Proposed Rules for Certified Public Health Dental Hygienists - #15-96 - The Board voted to accept the Committee's recommendations and to add rules to the next rules package.
 - Use of Dental Assistants in a Public Health Setting - #15-97 - The Board voted to have its Executive Director write a rule with a new category of supervision in a public health setting.
3. Hygienists' Association Comments – None.
 4. Dental Society Comments – Executive Director Mike Auerbach said that he expects to see a lot of regulation changes in the future and that the Society will look to the Board for guidance.
 5. Commission on Dental Competency Assessments (CDCA) (formerly NERB) Comments – Stacy Plourde reported that she recently worked at 2 sites with the Dental Hygiene Exam Pilot with electronic scoring. The 6 sessions of exams with electronic scoring platform were well received by candidates and went quickly.
 6. Board Office Comments –The Board's Executive Director asked the Board if it wanted to send postcard reminders to those dentists who have not yet registered with the PDMP. The Board voted to delay the decision until the Board's June meeting.
 7. Licensing of Dental Assistants (no document, discussion only) - #15-98 - The Board voted to have its Executive Director research how the states of Massachusetts and Vermont register their dental assistants.
 8. Patricia Mroz, RDH - Request for refund - #15-99 - The Board voted not to waive the late fee for Ms. Mroz.
 9. Melinda Stillwell, RDH - Local anesthesia question - #15-100 - The Board voted that Ms. Stillwell is required to take the NERB exam.
 10. EFDA credentials approval - Katlyn Raymond (tabled from April) - #15-65 - The Board voted to deny her petition because York County Community College does not comply with the CODA requirements and the dental administrative rules for EFDAs.
 11. Thank you letter - #15-115 - The Board voted to send the thank you letter to outgoing DHC member, Jodi Carnes, RDH.
 12. Jay Beauchemin, DDS - Question re: externships at New England College - #15-116 - The Board voted to have its Executive Director write to Dr. Beauchemin, advising him that it has a form which must be completed and that it is necessary to ensure there is a New Hampshire licensed dentist supervising the externs.

13. Petitions for Declaratory Rulings - #15-120

- Ronald Hrinda, DMD - The Board voted that “actively engaged in the practice of dentistry” means that a dentist has an unencumbered active license and has satisfied at least one of those duties listed in RSA 317-A:20 during the biennium.
- The Board voted that “actively engaged in the practice of dentistry” means that a hygienist has an unencumbered active license and has satisfied at least one of those duties listed in RSA 317-A:21-c during the biennium.
- Kim, Office Mgr/My Dentist on behalf of Janet Krefting, DDS - The Board voted, referencing Den 101.11, that “personally evaluated” means that the dentist has to perform an oral exam on the patient once in a twelve month period. The Board does not have jurisdiction to answer the question regarding charging the patient for the exam.

14. AADB - JCNDE Meeting Report - #15-121 - Informational.

15. Informational (emailed previously)

- a. AGD Washington Briefing - April 3, 2015
- b. ADHA Dental Hygiene Diagnosis Fact Sheet
- c. ADA's Joint Commission on National Dental Examinations Call for CV's
- d. Winter/Spring 2015 CODA Communicator
- e. CODA Request for Public Member Nominations

LICENSURE AND REPORTS

1. **DENTIST APPLICATIONS APPROVED**

Nidhi Agarwal, DMD
Rushabh Doshi, DMD
Jillian Harrison, DMD
Helen Livson, DMD
Rupesh Pandey, DDS
Benjamin Roth, DMD

2. **HYGIENIST APPLICATION APPROVED**

Summer Aiden, RDH
Lauren Blais, RDH
Kelsey Hausmann, RDH
Samantha Lynch, RDH
Katherine Parker, RDH

3. PUBLIC HEALTH SUPERVISION

- Oral Healthcare at Home - #15-101 - The Board voted to accept the Public Health Summary Report and send a letter of appreciation.

4. ANESTHESIA/SEDATION

- a. Application for General Anesthesia/Deep Sedation permit:
 - Peter Albanese, Jr., DMD - #15-102 – The Board voted to send a letter to Dr. Albanese, asking him to provide documentation showing he has complied with Den 304.02(b). The certificate he provided shows a one year training program only which appears to be insufficient.
- b. Anesthesia/Sedation Evaluations - #15-103 – The Board voted to approve the comprehensive evaluations of:
 - David Pak, DMD - General Anesthesia/Deep Sedation permit
 - Alan Ross, DMD - Moderate Sedation Restricted permit
- c. Anesthesia/Sedation Evaluation Chart - The Board also voted to change the chart in the future to show what kind of permit the licensee is getting.

5. CHART - Proposed Rule Changes (updated 4-22-15) - #15-104

The Board voted to do the following:

- Den 101.10 - Remove the word “personally” from “personally authorizes the procedure”.
- Den 403.03 - Require 2 credit hours per biennium in infection control for both hygienists and dentists.
- Den 302.05(q) and (r)(2) - Require licensees to take the NERB local anesthesia exam for the local anesthesia permit.
- Den 304.02(h)(4) – Clarify the rule to make it clear that a dentist applying for an anesthesia/sedation permit at a second location is not required to have a comprehensive evaluation within 8 months.
- Den 304.02(k) – Add language saying that the licensee is required to pay the evaluation fee if the evaluator arrives onsite and the licensee is not prepared to have the evaluation performed.
- Den 304.02(e)(4) – Change to the word “review” to “renew”.
- Den 501.01(j) – Change the reference Den 301.04(a)(12) to Den 301.04(a)(13).
- Den 402.01 – Add a rule requiring a hygienist to apply for public health supervision status.
- Change the reference Den 402.01(e) to Den 402.01(d) on the “Dental Hygienist Application for Public Health Supervision Status”.

- Den 301.01(a)(8)b and Den 301.01(h) – Make the language in these rules consistent by adding to Den 301.01(a)(8)b the words “with a score of 75% or higher”.
- Den 301.04(a)(18) – Add the following language: “Whether the applicant has registered for the Controlled Drug Prescription Health and Safety Program pursuant to RSA 318-B:33, II and Ph 1503.01(a). If, after notice and opportunity for a hearing, it is determined that the applicant is required to register for the Controlled Drug Prescription Health and Safety Program but has failed to do so, the board shall deny the renewal application.”
- Den 206.03(d)(3) – Add a subparagraph 3 to read as follows: “with the consent of the party, providing a copy of the document electronically”.
- Den 208.03(b) – Add the following to subparagraph b: “or, with the consent of the parties or intervenors, by electronic means”.

At 5:35 PM, pursuant to RSA 91-A:3, the Board voted to go into non-public session by roll call vote because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.